

RÉSUMÉ DIGEST

ACT 56 (SB 23)

2021 Regular Session

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Prior law required that the Office of Group Benefits (OGB) promulgate all rules necessary to carry out prior law relative to retiree health care premium subsidy of an individual who has participated in the OGB health care program.

Prior law provided that any person who is eligible for and receives disability retirement benefits from a retirement system created under the laws of this state, shall receive the same retiree health care premium subsidy as an individual who has participated for 20 or more years in the OGB health care program (currently 75%). In order to be eligible for the retiree health care premium subsidy, the person shall have participated in health care programs sponsored by the OGB for the number of years sufficient to earn disability retirement benefits.

New law retains prior law.

New law provides that notwithstanding any provision of law to the contrary, a spouse or a child who has not attained the age of 26 years, or a child who has a disability or is mentally incapacitated regardless of age, who is eligible to receive survivor retirement benefits from the State Police Retirement System (SPRS) pursuant to prior law shall be eligible to participate in the OGB health care program and receive the same health care premium subsidy as a retiree who has participated for 20 or more years in the OGB health care program.

New law provides that to be eligible for the retiree health care premium subsidy, the decedent shall have participated in health care programs sponsored by the OGB for the number of years sufficient to earn survivor benefits at the time of his death. A spouse or child who does not meet the qualifications for health care premium subsidy coverage pursuant to new law due to the date of death of the decedent occurring prior to June 30, 2021, shall have the option to select coverage no later than December 31, 2021.

Prior law, relative to SPRS members hired on or by December 31, 2021, or earlier, provided that the surviving spouse of any such sworn commissioned law enforcement officer of the office of state police of the Department of Public Safety and Corrections (DPS&C) who is killed by an intentional act of violence in the discharge of his duties, or dies from the immediate effects of any injury received as the result of an intentional act of violence occurring while engaged in the discharge of his duties, shall receive a survivor benefit equal to 100% of the salary being received by the employee at the time of the decedent's death or injury, provided the surviving spouse was married to the decedent at the time of the event which resulted in the officer's death.

New law retains prior law.

New law provides that beginning in Fiscal Year 2021-2022 and in each year thereafter, the benefit shall, on the anniversary of the officer's death, be increased by three percent until the benefit equals the maximum of the officer's paygrade for his classification under the pay plan that applied to the officer on his date of death.

Prior law, relative to SPRS members hired January 1, 2011, or after provided that if the member has a surviving spouse, a child or children who are minors, have a disability, or are mentally incapacitated, or both a surviving spouse and a child or children, and the member is killed by an intentional act of violence or dies as a direct result of an injury sustained as a consequence of an intentional act of violence, the amount of the total benefit shall equal 100% of the member's salary at the time of death. The benefit shall be shared equally by the surviving spouse and any children. When a child who neither has a disability nor is mentally incapacitated no longer meets the definition of minor child under prior law, his benefit shall cease, and the remaining beneficiaries shall have their shares adjusted accordingly.

Effective June 30, 2021.

(Amends R.S. 42:851(E)(2) and (P) and R.S. 11:1316(B)(2) and (E) and 1345.8(B)(2) and (D))

